

## REMARKS

Claims 1 and 16-19 have been amended. Claims 6 and 21 have been canceled. Claims 22-28 are new. Claims 1-5, 7-20, and 22-28 are pending.

### Claims 9-17: Rejections under 35 U.S.C. § 112

Claims 9-17 have been rejected under 35 U.S.C. § 112. The examiner believes that data is not capable of monitoring a vehicle.

Applicant respectfully traverses. The present invention uses data to monitor a vehicle. Claim 9 recites that “the vehicle monitoring means comprises user-input information submitted by the user”. This user-input information may include the user’s intended destination and/or duration of use. This allows the central computer to monitor when the vehicle would be due to return and be available for reallocation. This is described in the patent application:

[0028] User-input information S8, as shown in FIG. 2, is also used as a means of monitoring a vehicle and determining when it may be available for reallocation. User-input information comprises information regarding the user’s past vehicle usage or intended vehicle usage. The user’s intended use of the vehicle may be information concerning their intended destination and/or duration of use. For example, a user hiring a vehicle at a work site parking area could enter the expected time the trip would take to run the errand and return to the parking area. By informing the central computer of the user’s intended duration through the use of a terminal S3, the computer can monitor when the vehicle would be due to return and be available for reallocation. Likewise, once a user has registered, the user’s destination would be known by the central computer and used to approximate when that vehicle would be available at the expected destination.

[0029] Past usage information can be ascertained by the central computer S4 through means of recording the user’s past usage information, storing the information, and recalling the information S8 when the user enters an identification device such as a personal identification number, key fob, password, or identification card at a terminal when the vehicle is initially hired. In addition, when a user swipes a key fob with its identification means on a vehicle mounted terminal, the central computer is informed of the user’s registration information which may include information concerning the user’s destination. This information is used by the central computer to determine when the vehicle will reach the destination and be available for reallocation.

Claims 10-17 depend from claim 9 and are allowable for at least the same reason.

### Claims 1-18: Rejections under 35 U.S.C. § 102(b)

Claims 1-18 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Klein *et al.* (US5726885).

Claims 1 and 18 as amended now recite:

1. A vehicle monitoring and reservation system usable in a vehicle sharing system, comprising:
- a) a terminal for accepting a request to use a vehicle;
  - b) registering means for registering said users;
  - c) a parking area for a plurality of users to obtain vehicles from and return vehicles thereto;
  - d) vehicle monitoring means to monitor the use of a vehicle, the vehicle monitoring means comprising geo-fencing means surrounding the parking area, whereby vehicles contained within, entering, or exiting the parking area can be tracked and accounted for, wherein the vehicle monitoring means includes no hardware at the parking area;
  - e) a central computer with computing means responsive to said monitoring means and the user's intended use and past vehicle usage for determining when a vehicle will be available for use at said parking area and memory means for storing registration information of said users from said registering means;
  - f) communication means responsive to said computing means for communicating the availability of said vehicles; and
  - g) an information device responsive to said communications means wherein the user is informed of the availability of said vehicles at said parking area and reserves an available vehicle.

18. A vehicle monitoring and reservation system usable in a vehicle sharing system, comprising:
- a) a terminal for accepting a request to use a vehicle and user input information;
  - b) registering means for registering said users;
  - c) a parking area for a plurality of users to obtain vehicles from and return vehicles thereto;
  - d) vehicle monitoring means to monitor the use of a vehicle, the vehicle monitoring means comprising geo-fencing means surrounding the parking area, whereby vehicles contained within, entering, or exiting the parking area can be tracked and accounted for, wherein the vehicle monitoring means includes no hardware at the parking area;
  - e) a central computer with computing means responsive to said monitoring means and the user's intended use and past vehicle usage for determining when a vehicle will be available for use at said parking area and memory means for storing registration information of said users from said registering means;
  - f) communication means responsive to said computing means for communicating the availability of said vehicles; and
  - g) an information device responsive to said communications means wherein the user is informed of the availability of said vehicles at said parking area and reserves an available vehicle.

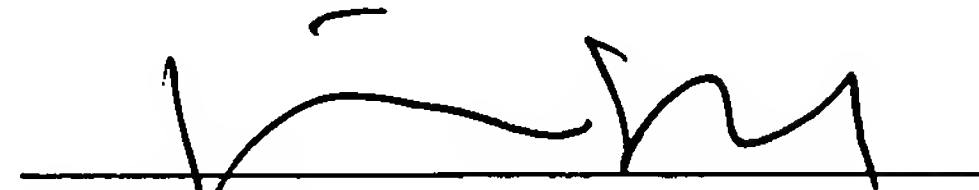
Klein *et al.* do not teach a vehicle monitoring means to monitor the use of a vehicle, the vehicle monitoring means comprising geo-fencing means surrounding the parking area, whereby vehicles contained within, entering, or exiting the parking area can be tracked and accounted for, wherein the vehicle monitoring means includes no hardware at the parking area. In contrast, Klein *et al.* specify an automatic collection and return device at each collection and return point. [See Klein *et al.* at column 1, lines 9-10; column 4, lines 18-19; column 9, lines 11-12].

Klein *et al.* also do not teach a computing means responsive to a user's intended use and past vehicle usage in determining when a vehicle will be available for use at the parking area. For at least these reasons, claims 1 and 18 are allowable over Klein *et al.* Claims 2-17 depend from claim 1 and are allowable for at least the same reasons.

CONCLUSION

Applicant believes that the objections and rejections have been addressed. Applicants respectfully submits that the claims are now in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jinntung Su', is written over a horizontal line.

Jinntung Su  
Registration No. 42,174  
MANATT, PHELPS & PHILLIPS LLP  
1001 Page Mill Road, Building 2  
Palo Alto, California 94304  
650-812-1375 Telephone  
650-213-0286 Facsimile

20123484.1